

1 **SELECTIVE BIRD FEEDER**

2  
3 **BACKGROUND**

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5 **TECHNICAL FIELD**

6 The present invention is directed to a selective feeder and, in particular, to a  
7 selective bird feeder.

8  
9 **Related Cases**

10 Priority under 35 U.S.C. §119(e) is hereby claimed to U.S. Provisional  
11 Application No. 60/191,611 to Colwell, filed on March 23, 2000.

12  
13 **RELATED ART**

14 A variety of selective feeders are known for selectively allowing entrance of  
15 animals of a selected size while restricting the entrance of animals that are larger than  
16 the selected size.

17 With respect to bird feeders, in particular, house finches and squirrels tend to  
18 dominate bird feeding or drinking areas, making it difficult, if not impossible for  
19 smaller, more timid birds such as the goldfinch and black-capped chickadee to  
20 participate. Thus, many attempts have been made to provide a bird feeder that allows  
21 relatively smaller birds, which are typically songbirds, access to a bird feeder, while  
22 restricting access to such feeders by relatively larger birds. In addition, due to the  
23 resourcefulness of squirrels in their attempts to access seed contained in feeders, many  
24 attempts have also been made to provide a "squirrel proof" bird feeder.

25 Attempts to deal with the problems of dominant or persistent birds and  
26 squirrels have not always been successful, and in some instances have resulted in other  
27 problems. For example, such feeders are generally larger and heavier than non-  
28 selective feeders. Such feeders may also be difficult to refill with seed, as they may  
29 require complicated disassembly and reassembly. For similar reasons, such feeders

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There remains a need in the art for an improved selective bird feeder.

## SUMMARY

The present invention is directed to a selective feeder, preferably a selective bird feeder. The selective feeder includes a selective housing having a sidewall and a base. A cover is supported by the sidewall of the selective housing, and a seed holder is contained within the selective housing. In some embodiments, the seed holder is supported on the base. In other embodiments, the selective housing is supported on the base. Both the seed holder and the selective housing may in some embodiments be attached to the base.

In another embodiment, the selective feeder includes a selective housing having a cylindrical sidewall and including apertures having a width ranging from about 1.3 inches to about 1.7 inches. A removable cover is supported on the cylindrical sidewall of the selective housing. A cylindrical seed holder is contained within and spaced apart from the cylindrical sidewall of the selective housing. A hanger may be hanger attached to the selective bird feeder. The removable cover may be in direct contact with the cap of the cylindrical seed holder and the sidewall of the selective housing. Alternatively, the removable cover may be in direct contact with the cylindrical seed holder and the sidewall of the selective housing while being spaced apart from the cap of the cylindrical seed holder.

In another embodiment, the selective bird feeder includes a selective housing having at least one sidewall and a base. At least one sidewall of the selective housing includes a plurality of apertures. A seed holder is at least partially contained within the selective housing and supported by the base of the selective housing. A space is disposed between a sidewall of the seed holder and the at least one sidewall of the selective housing. A removable top is in direct contact with the seed holder and supported by the at least one sidewall of the selective housing. The removable top

1 includes an aperture through which a portion of the seed holder extends. The seed  
2 holder further includes a cap spaced apart from the removable top. The seed holder  
3 further includes a hanger attached to the cap.

4 In some embodiments, the cover is maintained in fixed relation to the selective  
5 housing using a suitable device positioned above the cover. The device may be a  
6 spring clip, a clamp and nut assembly, an annular rib formed in the seed housing, or  
7 other suitable equivalents known to those of skill in the art.

8 In some embodiments, the cover is supported by a device positioned below the  
9 cover. The device may be a spring clip, a clamp and nut assembly, or an annular rib  
10 formed in the seed housing, or other suitable equivalents known to those of skill in the  
11 art.

12 In some embodiments, the cover may be supported and maintained in fixed  
13 relation to the selective housing and the cap of the seed holder using suitable devices  
14 positioned above and below the cover. The devices may be spring clips, clamp and  
15 nut assemblies, or annular ribs formed in the seed housing, or other suitable  
16 equivalents known to those of skill in the art, used alone or in combination. In the  
17 present embodiment, an annular rib is generally used in conjunction with another  
18 removable device to facilitate removal of the cover.

#### 21 BRIEF DESCRIPTION OF THE DRAWINGS

22 It should be understood that the drawings are provided for the purpose of  
23 illustration only and are not intended to define the limits of the invention. The  
24 foregoing and other features of the embodiments described herein will become  
25 apparent with reference to the following detailed description when taken in  
26 conjunction with the accompanying drawings in which:

27 FIG. 1 is a perspective view of one embodiment of a selective bird feeder in  
28 assembled relation;

29 FIG. 2 is an exploded view of the selective bird feeder of FIG. 1;

1 FIG. 3 is a perspective view of the seed holder of the selective bird feeder of  
2 FIG. 1;

3 FIG. 4. is a perspective view of the selective housing of the selective bird  
4 feeder of FIG. 1;

5 FIG. 5 is a perspective view of one embodiment of a cover for the selective  
6 bird feeder of FIG. 1;

7 FIG. 5A is a perspective view of another embodiment of a cover for the  
8 selective bird feeder of FIG.1;

9 FIG. 5B is an expanded perspective view of the cover of FIG. 5 positioned on  
10 the selective housing of the feeder of FIG. 1;

11 FIG. 5C is an expanded side view of the cover of FIG. 5 positioned on the  
12 selective housing of the feeder of FIG. 1;

13 FIG. 6A is a schematic top view of the base of the selective bird feeder of  
14 FIG. 1;

15 FIG. 6B is an expanded perspective view showing the selective housing and  
16 base in assembled relation;

17 FIG. 6C is an expanded side view showing the selective housing and base in  
18 assembled relation;

19 FIG. 7 is a side view of the selective bird feeder of FIG. 1 in assembled  
20 relation;

21 FIG. 7A is an expanded side view of the selective bird feeder of FIG. 1,  
22 showing how ht base, selective housing, and cover may be removed from the seed  
23 holder by removing the fastener from the base;

24 FIG. 8 is a perspective view of another embodiment of a selective bird feeder  
25 in assembled relation;

26 FIG. 9 is a perspective view of a device used to maintain a cover in fixed  
27 relation to the selective housing;

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FIG. 10 is an expanded perspective view of a feeder including the device of FIG. 9, and showing the cover engaged with the selective housing and with the device positioned adjacent to and above the cover;

FIG. 11 is an expanded schematic side view of the feeder of FIG. 10;

FIG. 12 is an expanded side view of the feeder of FIG. 10 showing the cap of the seed holder in a closed position and showing the cover in fixed relation to the selective housing with the locator tabs engaged with the selective housing;

FIG. 13 is an expanded side view of the feeder of FIG. 10 showing the cap in an open position for adding seed to the seed holder, and showing the cover remaining in fixed relation to the selective housing;

FIG. 14 is a schematic of an alternative device used to maintain the cover in fixed relation to the selective housing; and

FIG. 15 is a schematic illustration of a seed holder cylinder having an annular rib on which a dome is supported, and including the device of FIG. 9 positioned above the cover.

#### DETAILED DESCRIPTION OF THE PREFERRED EMBODIMENTS

One embodiment of a selective feeder 10 is illustrated with reference to FIGS. 1-7A.

Selective feeder 10 is shown in assembled relation in perspective view in FIG. 1. As shown in an exploded view in FIG. 2, selective feeder 10 includes a seed holder 12, a cover 14, a selective housing 16, and a base 18, which together define an interior space 20 (FIG. 1). Selective housing 16 includes a side wall 22 and opposing upper and lower edges 24, 26. In some embodiments, seed holder 12, selective housing 16, or both, may be fastened to base 18, which may necessitate the use of a fastening device 28. Selective housing 16 may be fastened to base 18 using, for example, wire.

Seed holder 12 is illustrated in greater detail in FIG. 3. Seed holder 12 includes a base 30, a seed baffle 32 and a seed housing 34 that together define a

1 compartment 36 for containing, for example, bird seed. Seed housing 34 is illustrated  
2 herein as a substantially cylindrical tube having a length "l" and a diameter "d" that  
3 may vary as desired in order to accommodate different situations. For example, when  
4 it is desired to minimize the number of times required to refill the seed holder, the  
5 diameter, length, or both, of seed holder 12 may be increased, limited only by  
6 practical considerations such as, for example, the weight of the selective bird feeder.  
7 Seed housing 34 includes at least one aperture 38 through which selected birds may  
8 access seed that may be contained therein. Optional baffles (not illustrated) and  
9 perches 40 may be included, many types of which are well known in the art.

10 Base 30 and seed baffle 32 are exemplary only, and may be replaced or  
11 substituted for other configurations that are well known in the art. However, base 30  
12 and seed baffle 32 may be separate pieces, although illustrated herein as an integral  
13 unit. Moreover, use of seed baffle 32 is not required.

14 In some embodiments, seed holder 12 may include a cap 42 for protecting seed  
15 contained therein from animals or the elements. Alternatively, cover 14 may be  
16 substituted for cap 42 and disposed directly on seed housing 34 to achieve the same  
17 result.

18 As shown, seed holder 12 may also include a hanger 44 to facilitate suspension  
19 of selective feeder 10 from a tree, a pole, or the like. Any type of hanger may be used  
20 with the selective feeder, attached to any part of the selective feeder, if desired. The  
21 present embodiment includes an exemplary hanger 44 that includes a bail rod 46  
22 extending through seed housing 34 and a bail wire 48 connected to opposing ends of  
23 bail rod 46. The present exemplary hanger 44 is preferred because it allows ease of  
24 refilling seed housing 34, as described in greater detail below. However, any type of  
25 hanger that allows the seed holder 12 to be refilled without removing cover 14 is  
26 preferred.

27 As stated previously, interior space 20 is defined by seed holder 12, cover 14,  
28 selective housing 16, and base 18. Interior space 20 has a width "w" determined by  
29 the distance between seed housing 34 and selective housing 16. The only constraint

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on the width "w" of interior space 20 is that the entire interior space 20, or at least a portion of interior space 20, must have a width "w" sufficient to allow the selected birds to enter and move freely therein. Therefore, a selected bird may enter interior space 20 through selective housing 16 to feed from the seed holder 12. In the present embodiment, in which seed holder 12 and selective housing 16 are both illustrated as having substantially cylindrical shapes, interior space 20 has a constant width "w" extending from base 20 to the top edge 24 of selective housing 16. However, the illustrated cylindrical shapes are not required; seed holder 12 and selective housing 18 may vary in shape or size, such that at least a portion of interior space 20 has a width "w" that is sufficient to allow the selected birds to enter and move freely therein. Therefore, "w" may be any width, but in preferred embodiments, width "w" may range from about one inch to about three inches, more preferably about one and one-half inches.

As shown in greater detail in FIG. 4, selective housing 16 includes a least one side wall 22 and opposing upper and lower edges 24, 26. Selective housing 16 is illustrated herein as a substantially cylindrical tube having a length "l" and a diameter "d" that will vary in accordance with the length and diameter of seed housing 34 in order to maintain a sufficient width "w" of interior space 20. At least one selective aperture 50 may be disposed in sidewall 36, although many more may be included, as illustrated herein. Aperture 50 is dimensioned to allow access to interior space 20 by selected birds. In one embodiment, the selected birds are songbirds, which typically are able to pass through openings having a minimum dimension of about 1.5 inches. For example, the minimum dimension for circular apertures is the diameter of the circle; the minimum dimension of square apertures is the length of one side; the minimum dimension of rectangular apertures is the length of the shortest side, and so on. Aperture 50 of side wall 22 may have any selected dimension desired in order to provide access by birds of a selected dimension. Moreover, apertures of different shapes may be included, provided the minimum dimension is sufficiently small to restrict access by the non-selected birds.

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FIG. 5 is an expanded perspective view of cover 14, which includes upper and lower edges 52,54 and interior and exterior surfaces 56,58. Interior surface 56 preferably includes a plurality of locator tabs 60 to assist with positioning cover 14 on selective housing 16. Cover 14 may be any shape or size provided that it extends beyond selective housing 16 in order to limit access by squirrels to selective housing 16. Cover 14 preferably slopes downwardly away from seed holder 12 in order to afford the greatest protection from the elements and to minimize squirrels' ability to brace or support themselves on selective feeder 10. Thus, in the present embodiment, cover 14 is illustrated as dome-shaped and having a diameter larger than the diameter "d" of selective housing 16. The amount by which the cover 14 extends beyond selective housing may be reduced or minimized as the width of interior space 20 increases.

In some embodiments, and as illustrated herein, cover 14 includes a centrally disposed aperture 62 configured to allow cover 14 to be slidably received on seed housing 34 of seed holder 12. Thus, cover 14 is spaced apart from cap 42 of seed holder 12 in the present embodiment, and a portion of seed housing 34 extends through aperture 62. In this embodiment, cover 14 is directly in contact with seed housing 34. In one embodiment, cover 14 may include apertures 30, as described above with reference to side wall 36. In yet another embodiment, cover 14 may be integrally formed with seed housing 28.

In preferred embodiments, exterior surface 58 is preferably substantially smooth and free of any surface or depression that would provide a grasping spot for squirrels and the like. Thus, providing a substantially smooth exterior surface 58 eliminates leverage that such animals might otherwise have to remove cover 14 to access seed. By providing a smooth exterior surface 58, animals are more likely to slide off than to gain leverage. In one embodiment, cover 14 may be substantially smooth and solid and formed from, for example, a transparent material such as polycarbonate. When cover 14 is substantially solid, it also provides protection from rain or dung, protecting both birds and seed contained within space 20 from becoming



1 wet or contaminated. When cover 14 is transparent, viewers may also view birds in  
2 space 20 more easily from many different viewing angles.

3 FIG. 5A is an expanded perspective view of another embodiment of a  
4 cover 15, in which like numbers designate like elements. Cover 15 differs from  
5 cover 14 by the amount of downward slope. That is, the downward slope of cover 15  
6 is less than that of cover 14.

7 The assembled relation of cover 14 in assembled relation with seed holder 12  
8 and selective housing 16 is shown in expanded perspective and side view in FIGS. 5B  
9 and 5C. As shown, cover 14 is slidably received on seed housing 34 and positioned  
10 on selective housing 16 using locator tabs 60, which engage with upper edge 24 of  
11 selective housing 16. Bail rod 46 extends through seed housing 34, cap 40 is disposed  
12 over seed housing 34, and bail wire 48 is connected to bail rod 46 at opposing ends.

13 FIG. 6 is an expanded top view of base 18, which preferably includes a  
14 flange 64 disposed around the perimeter of base 18 into which selective housing 16  
15 is slidably receivable. Although not required, in some embodiments, base 18 includes  
16 a central aperture 66 through which, for example, fastener 28 may be used to attach  
17 to base 18 to base 30 of seed holder 12. However, base 30 of seed holder 12 may rest  
18 on base 18 without attachment thereto, provided that base 18 is attached to selective  
19 housing 16. If desired, drainage apertures 68 may also be provided to prevent water  
20 or other substances from collecting therein. In preferred embodiments, one or both  
21 of seed holder 12 and selective housing 16 may be attached to base 18, as described  
22 above (for example, with wire twists or wire clips). In order to facilitate such  
23 attachment, receiving apertures 70 may be disposed in base 18 as well.

24 Base 18 provides support for selective housing 16 and seed holder 12. As with  
25 seed holder 12 and selective housing 16, base 18 may vary in shape and size. Base 18  
26 has a diameter "d" that will vary in accordance with the diameter of the selective  
27 housing 16 in order support selective housing 16 and to maintain a sufficient width  
28 "w" of interior space 20. Thus, in the present embodiment, base 18 is illustrated as  
29 substantially round to accommodate the cylindrical shape of selective housing 16 and

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1 seed holder 12. Base 18 preferably slopes inwardly toward seed holder 12 to prevent  
2 dropped seeds from falling to the ground.

3 Suitable materials for base 18 include substantially solid materials such as  
4 plastic or metal. Transparent plastics are preferred due to the ease of viewing interior  
5 space 20 that is provided from many viewing angles. One preferred plastic material  
6 is polycarbonate. It is not necessary that base 18 be solid. Thus, in one embodiment,  
7 base 18 may include apertures 50, as described above with reference to side wall 22.  
8 In yet another embodiment, base 18 may be integrally formed with side wall 22.  
9 Base 18 may also include an axially disposed boss member (not illustrated) extending  
10 upwardly on which to fix the position of seed holder 12 and to prevent seed holder 12  
11 from moving freely around on base 18.

12 The assembled relation of base 18 with seed holder 12 and selective  
13 housing 16 is shown in expanded perspective and side view in FIGS. 6B and 6C. As  
14 shown, lower edge 26 of selective housing 16 is slidably received in flange 64 of  
15 base 18. Base 30 of seed holder 12 may be centrally disposed and connected to  
16 base 18 using fastener 28. Selective housing 16 may be attached to base 18 via  
17 fasteners 65 threaded through apertures 70.

18 FIG. 7 is a schematic side view of selective bird feeder 10 in an assembled  
19 relation. In the present embodiment, seed holder 12 is supported on base 18 and  
20 attached thereto using fastener ~~22~~<sup>28</sup>. In the present embodiment, fastener ~~22~~<sup>28</sup> is  
21 illustrated as a threaded plug, although those of skill in the art will recognize that other  
22 equivalent devices may be used. Also in the present embodiment, selective  
23 housing 16 is supported on base 18 and attached thereto by fasteners 65. Cover 14  
24 is slidably received on seed housing 34 and supported on sidewall 36, where it is  
25 positioned by locator tabs 42. Seed holder 12 extends through aperture 62 of  
26 cover 14. Cap 40 is disposed over seed housing 34. Hanger 44 is attached to seed  
27 housing 24, as described above.

28 FIG. 8 illustrates another embodiment of a selective feeder 72 using cover 15  
29 in place of cover 14.

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1 FIG. 9 illustrates a device 74 that may be positioned on seed housing 34 above  
2 or below cover 14,15. Device 74 maintains cover 14,15 in substantially fixed relation  
3 to cap 40 and the upper edge 24 of side wall 22. When positioned above cover 14,15,  
4 device 74 prevents squirrels from lifting or removing the cover to access the birdseed  
5 contained within seed holder 12. Although illustrated herein as a spring clip,  
6 device 74 may be any device known to those of skill in the art that will accomplish the  
7 same result.

8 As shown in FIG. 14, device 74 may be a clamp that may be secured around  
9 seed housing 34 using a wing nut or the like. In another embodiment, device 74 may  
10 be an annular rib (not illustrated) integrally formed in seed housing 34, below which  
11 cover 14 may be positioned while supported on side wall 36 of selective housing 18.  
12 An annular rib positioned above cover 14,15 will function in the same manner as the  
13 spring clip or the clamp. In order to eliminate having to remove cover 14,15 when  
14 cleaning the selective housing 16 or base 28, a spring clip or clamp may be placed  
15 below cover 14,15 when used with annular rib.

16 In other embodiment shown in FIG. 15, an annular rib 76 may be disposed  
17 around seed housing 34 for supporting cover 14,15 in conjunction with device 74  
18 positioned above cover 14,15.

19 It will be understood that various modifications may be made to the  
20 embodiments disclosed herein. The size and configuration of the bird feeder may be  
21 different. for example, although illustrated herein as cylindrical, the seed holder and  
22 selective housing may be, for example, square, oval, or any other shape and size.  
23 Although illustrated herein as a wire cage, the selective housing may be any material  
24 that allows the formation of apertures therein, for example, polycarbonate. Moreover,  
25 the size, shape, and quantity of the apertures in the selective housing may be greater  
26 or smaller, depending, for example, on the size of the selected animal. The cover of  
27 the selective housing may also have any shape or size. These and other changes can  
28 be made in the selective feeder provided the functioning and operation thereof are not  
29 adversely affected. Therefore, the above description should not be construed as

- 1 limiting, but merely as exemplifications of a preferred embodiment. Those skilled in
- 2 the art will envision other modifications within the scope spirit of the invention.

- 3 What is claimed is:

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